

JEREMY A. RABKIN  
PROFESSOR OF LAW  
GEORGE MASON UNIVERSITY

**Education**

PhD, Harvard University, Department of Government, March 1983  
Graduate work, University of Chicago, Dept of Pol. Sci. 1974-75  
B.A., Summa Cum Laude, Cornell University, 1974

**Previous Positions**

Professor, Department of Government, Cornell University (1983-2007)  
Visiting Professor, Department of Government, Harvard University (1993)  
Instructor, Department of Government, Cornell University (1980-82)  
Associate Editor, *Regulation* (1978-80)

**Current Professional Affiliations**

U.S. Institute of Peace, Board of Directors  
Center for Individual Rights, Board of Directors  
Harvard Journal of Law and Public Policy, Board of Academic Advisors  
American Enterprise Institute, Board of Academic Advisors  
Federalist Society, International Law Practice Group, Executive Committee

**Publications**

**I. Books**

**Sole author -**

*Law Without Nations?* (Princeton University Press, 2005)  
*The Case for Sovereignty* (AEI Press, 2004)  
*Why Sovereignty Matters* (AEI Press, 1998)  
*Judicial Compulsions, How Public Law Distorts Public Policy*  
(Basic Books, 1989)

**Edited volumes**

Jean Bodin's *Six Books of the Republic* (first full English edition since 1606,  
Introduction and notes by J.Rabkin, Shalem Press, 2008)  
*The Fettered Presidency, Legal Limitations and the Conditions of  
Responsible Policymaking* (co-edited with L. Gordon Crovitz, AEI Press, 1989)

**II. Chapters in edited books**

"Why Jean Bodin Advocated Witch-Hunting" in *Essays for Werner Dannhauser*,  
A. Meltzer, ed., (Lexington, 2008)  
"Founding Principles and Foreign Policy" in R.J. Pestritto, ed, *Modern America and The Legacy  
of the Founding* (Lexington, 2007)  
"Warren G. Harding" in James Taranto and Leonard Leo, eds., *Presidential Leadership*  
(Free Press, 2004)  
"The Conservative Case for Privacy" in Brad Watson, ed., *The  
Constitution and the Culture War* (Rowman & Littlefield, 2002)  
"In Defense of Reasonable Lines: Natural Law from a Natural  
Rights Perspective," in David Miller and Sohail Hashami,  
*Boundaries and Justice* (Princeton University Press, 2001)  
"Conservatism" and "Freedom of Speech" in *Oxford Companion to*

- World Politics*, 2d ed (Oxford University Press, 2001)
- "Things Which Independent States May of Right Do," in William Kristol, ed.,  
*Educating the Prince, Essays in Honor of Harvey Mansfield* (Rowman & Littlefield, 2000)
- "Porque e a Cidadania Supranacional uma ma Ideia" (Portuguese translation of "Why  
Supranational Citizenship is a Bad Idea") in *Cidadania e Novos Poderes Numa Sociedade Global*  
("Citizenship and Powers in Global Society," Fundacao Gulbenkian, 2000)
- "The Value of Sovereignty and the Costs of Global Environmentalism," in Terry Anderson  
and Henry Miller, eds., *The Greening of U.S. Foreign Policy* (Hoover Inst. Press, 2000)
- "The Supreme Court and the Safeguarding of American Sovereignty" in Brad Wilson, ed., *The  
Supreme Court and American Constitutionalism* (Rowman & Littlefield, 1997)
- "Racial Divisions and Judicial Obstructions" in N. Devins, ed., *Redefining Equality*  
(Oxford University Press, 1997)
- "Feminism: Where the Spirit of the Sixties Lives On" in Stephen Macedo, ed.,  
*Reassessing the Sixties, Debating the Political and Cultural Legacy* (W.W. Norton, 1997)
- "Revolutionary Visions in Legal Imagery: France and America" in R.C. Hancock, ed.,  
*The Legacy of the French Revolution* (Rowman & Littlefield, 1996)
- "White House Lawyering: Law, Ethics and Political Judgments"  
in C.W. Clayton, ed., *Government Lawyers* (University of Kansas Press, 1995)
- "Conservatism" in *Oxford Companion to World Politics* (Oxford Press, 1992)
- "Taxing Discrimination: Federal Regulation of Private Education by the IRS," in N. Devins, ed.,  
*Public Values, Private Schools* (Stanford, 1989)
- "Where the Lines Have Held: Tort Claims Against the Federal  
Government," in Walter Olson, ed. *New Directions in Liability Law* (Proceedings of the  
Academy of Political Science, Vol. 37, 1988)
- "Legislative Power" in Leonard Levy and Kenneth Karst, eds.,  
*Encyclopedia of the American Constitution* (Macmillan, 1986);  
"George Bush" (1991 Supplement)
- "The Politics of The Federalist and the Ideals of Bureaucracy" in Charles Kesler, ed.,  
*Securing the Revolution* (Free Press, 1987)
- "The Reagan Revolution Meets the Regulatory Labyrinth" in Benjamin Ginsberg and Alan  
Stone, eds., *Do Elections Matter?* (M.E. Sharpe, 1986)
- "Comparable Worth as Civil Rights Policy" in *Comparable Worth: Issue for the 80s*,  
U.S. Commission on Civil Rights (1985) [reprinted in *Transaction/Society*, July/August 1985]
- "HEW's Office for Civil Rights" in James Q. Wilson, ed., *The Politics of Regulation*  
(Basic Books, 1980)

### III. Articles in academic journals

- "Self-Defense Shouldn't Be Too Distracted by International Law,"  
Harv. J. L.&Pub.Pol, Winter 2006
- "Recalling the Case for Sovereignty,"  
*Chicago J. Int'l Law*, Winter 2005
- "Global Criminal Justice: An Idea Whose Time Has Passed,"  
*Cornell Int'l L. Journal*, Fall 2005
- "What International Law Can Teach About Human Dignity,"  
*Harvard Journal of Law and Public Policy*, Spring 2004
- "Politics of the Geneva Conventions," *Virginia Journal of  
International Law*, Fall 2003
- "Worlds Apart on International Justice," *Leiden Journal of  
International Law*, Fall 2002
- "Is EU Policy Eroding the Sovereignty of Non-Member States?,"  
*Chicago Journal of International Law*, Fall 2000
- "Nuremberg Misremembered," *SAIS Review* (Summer-Fall 1999)
- "The Secret Life of the Private Attorney General," *Law &  
Contemporary Problems*, Fall 1998
- "Grotius, Vattel and Locke: An Older View of Liberalism and

- Nationality," *Review of Politics*, Spring 1997
- "Constitutional Firepower: New Light on the Meaning of the Second Amendment," *Journal of Criminal Law and Criminology*, F. 95
- "At the President's Side: The Role of the White House Counsel in Constitutional Policy," *Law and Contemporary Problems*, Atm 93
- "Racial Progress and Constitutional Roadblocks," *34 Wm & Mary L. Rev.* 75 (1992)
- "In Defense of American Liberties," *Constitutional Commentary*, Winter 1991
- "The Success of Separation of Powers and Its Contemporary Failings," *Brigham Young Univ. Law Review*, 1987
- "Averting Government by Consent Decree: Constitutional Limits on the Enforcement of Settlements with the Federal Government," *Stanford Law Review*, Nov. 1987
- "Justice and Judicial Handwringing: The Death Penalty Since Gregg," *Journal of Criminal Justice Ethics*, 1985
- "Industrial Policy: Reindustrialization Through Competition or Coordinated Action?," *Yale Journal of Regulation*, Vol. 2, No. 1 (with James C. Miller, III, Thomas F. Walton and William E. Kovacic)

#### IV. Selected Essays and Journalism

- "Sink This Treaty," *Washington Post*, July 2, 2007 (with Jack Goldsmith)
- "Rumsfeld Accused," *Weekly Standard*, Dec. 4, 2006
- "The Fantasy World of International Law," *Weekly Standard*, Aug. 21, 2006
- "Court Hasn't Crippled the War on Terror," *Weekly Standard*, July 17, 2006
- "Use and Abuse of Foreign Law by U.S. S. Ct.," *Weekly Stand*, April, 10, 2006
- "Law of Sea Treaty: Bad Deal for U.S." *Competitive Enterpr. Inst*, June 2006
- "Continental Drift," *Claremont Review of Books*, Nov 2005
- "Lesser Evil is Not Good Enough," *Claremont Review*, Januar 2005
- "No Miracle in San Francisco," *Claremont Review*, 2004
- "Beyond Guantanamo," *National Interest*, Summer 2002
- "Guns in the U.S. and UK," *Public Interest*, Fall 2002
- "International Kangaroo Court," *Weekly Standard*, April 25, 2002
- "The Case Against the World Court," *The Australian*, June 17, 2002
- "Keep out, United Nations," *The Australian*, Jan. 11, 2002
- "Eurojustice," *The Weekly Standard*, Sept. 10, 2001
- "Ruling the World," *Political Science Quarterly*, Winter 2000-01
- "Step Toward a Dangerous Court," *Wall Street Journal*, Jan. 2, 2001
- "Suing for Human Rights is not Justice," *Asian Wall Street Journal*, Jan 2, 2001
- "Human Rights Agendas and National Sovereignty," *Freedom in the World* (Freedom House), 2000
- "Is Sovereignty Obsolete?", Institute for Policy Affairs, Melbourne, Australia, 2000
- "This Court would be Criminal," *Weekly Standard*, June 20, 2000
- "The Culture War that Isn't," *Policy Review*, Aug/Sept 1999
- "First They Came for Pinochet," *The Weekly Standard* (Nov. 23, 1998)
- Euroglobalism*, Center for New Europe, Brussels, 1998
- Making Citizens*, 1998, Center for U.S. Studies, University of London
- The Yellowstone Affair*, monograph published by Competitive Enterprise Inst., January 1997
- "The Supreme Court in the Culture Wars," *The Public Interest*, Fall 1996
- "An American Scholar," *The Public Interest*, Spring 1996
- "David Souter: Stealth Justice," *Reader's Digest*, February 1996
- "The Promethean Richard Posner," *American Spectator*, May 1996
- "Globaloney, GOP-Style," *Weekly Standard*, February 26, 1996
- "Godless in America," *Weekly Standard*, January 22, 1996
- "Briefing for a Descent into Hell: Today's Campus," *Weekly*

*Standard*, January 15, 1996  
 "The Sorry Tale of David Souter," *Weekly Standard*, November 6, 1995  
 "Judges for Sale," *American Spectator*, June 1995  
 "Suing the Government," *The New Republic*, May 8, 1995  
 "Reinventing Conservatism," *The Public Interest*, Winter 1995  
 "The Curious Case of Kiryas Joel," *Commentary*, November 1994  
 "Free Speech Vandalized," *American Spectator*, October 1994  
 "Trading in Our Sovereignty," *National Review*, June 13, 1994  
 "Threats to U.S. Sovereignty," *Commentary*, March 1994  
 "Wilson's Character," *Commentary*, October 1993  
 "Micromanaging the Administrative Agencies," *The Public Interest*  
 #100 (Summer 1990)  
 "Can Courts Undo What Courts Have Done?" *Reason*, June 1989  
 "Disestablished Religion in America," *The Public Interest* #86  
 (Winter 1987)  
 "Constitutional Contrasts," *The American Spectator*, July 1987  
 "Politics by Independent Counsel," *The American Spectator*, May 1987  
 "Constitutional Enmities," *The Public Interest* #85 (Fall 1986)  
 "Welcome Retreat from Gov't by Consent Decree," *The Wall Street*  
*Journal*, April 10, 1986  
 "Constitutional Roulette," *The American Spectator*, May 1986  
 "Constitutional Choices," *Constitutional Commentaries*, Winter 1986  
 "Oliver Wendall Holmes," *Law and History Review*, Spring 1986  
 "Law's Umpire," *New Perspectives*, Winter/Spring 1986  
 "A Civil Rights Snare," *New Perspectives*, Winter 1985  
 "Class Conflict Over Civil Liberties," *The Public Interest* #77 (Fall 1984)  
 "Reagan's Secret Quotas," *The New Republic*, August 5, 1985  
 "Captive of the Court," *Regulation*, May/June 1984

### **Congressional Testimony**

House Judiciary Committee, "Supreme Court Reliance on Foreign  
 Precedent," April 2004  
 House International Relations Com'tee, "Int'l Tribunals," Feb 2002  
 Senate Committee on Foreign Relations, "American Servicemen's  
 Protection Act" (June 2000)  
 House Committee on Resources, "American Lands Sovereignty Act"  
 (Sept. 1996, June 1997)  
 House Committee on Education and Labor, "Civil Rights Act of  
 1990" (February 1990)  
 Senate Subcommittee on the Constitution, "Civil Rights Act of  
 1984" (May 1984)  
 Senate Subcom'tee on the Constit., "Effects of E.R.A. on Private  
 Education," (Sept. 1983)

### **International Lectures**

EU Parliament, Brussels (skeptical caucus conf), Dec. 2005 ("Sov'ty is Safe")  
 Aspen Institute Berlin, Sept 04 (on international criminal justice)  
 Shalem Center, Jerusalem, Jan. 2004 ("Sovereignty in Modern Thought")  
 Hebrew University, Israel (Nov. 2002) ("Sovereignty in *The Federalist*")  
 Gulbenkian Foundation, Lisbon (Oct. 2001) ("Supranational Citizenship")  
 Australian Senate Lecture, Canberra (September 2000) ("The  
 Limits of Int'l Law")  
 China Institute of International Studies, Beijing (August 2000)  
 ("Humanitarian Interv.")  
 Inst. For U.S. Studies, Univ. of London, London (May 1999)  
 ("Federal Citizenship")  
 Institute for Economic Affairs, London (May 1998)

("Eurogovernance Abroad")  
Center for the New Europe, Brussels (May 1998) ("Euroglobalism")  
APEC Studies Conference, Canberra (August 1997) ("Kyoto Protocol")

**Teaching Awards (or "Recognitions")**

Merrill Presidential Award (named "most influential teacher" by  
Presidential scholars, 1999, 2001)  
"Best Professor," *Ithaca Times* , Readers Poll, 2002